

AMENDED IN ASSEMBLY MARCH 27, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1242

Introduced by Assembly Member Karnette

February 23, 2007

~~An act to amend Section 17071.10 of the Education Code, relating to school facilities. An act to add and repeal Section 45272.5 of the Education Code, relating to school employees.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1242, as amended, Karnette. ~~School facilities: existing school building capacity.~~ *Classified school employees.*

Existing law requires all vacancies in the classified service of a school district that has adopted the merit system to be filled from applicants on eligibility lists that are made up from promotional examinations or by appointments made by means of transfer, demotion, reinstatement, or reemployment, as specified. Existing law requires that if a vacancy is filled from applicants on an eligibility list, the appointment be made from the eligible candidates having the first 3 ranks on the list who are ready and willing to accept the position.

Existing law authorizes, in a school district that has adopted the merit system an appointment to be made from other than the first 3 ranks when the ability to speak, read, or write a language in addition to English, or possession of a driver's license is a requirement of the position to be filled, but in that case existing law requires the appointment to be made from among the highest 3 ranks of applicants on the list who meet the special requirements and are ready and willing to accept the position.

This bill, in a school district with a pupil population over 400,000 and until January 1, 2012, would authorize an appointment for a school-based position to be made from any rank on the eligibility list, but would require consideration of certain factors. The bill would require a school district that avails itself of this authority to study the effectiveness of this selection method and submit a report on the study to the Legislature.

~~The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.~~

~~The act requires the calculation of existing school building capacity to be made on a one-time basis as a baseline for eligibility determinations, and requires each school district that elects to participate in the new construction program to submit to the board a one-time report of existing school building capacity. Notwithstanding those provisions, the act requires a school district newly formed, reorganized, or affected by reorganization pursuant to an election that occurred on or after November 4, 1998, to calculate or recalculate its existing school building capacity pursuant to regulations adopted by the board.~~

~~This bill would make technical, nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 45272.5 is added to the Education Code,
- 2 to read:
- 3 45272.5. (a) Notwithstanding subdivision (a) of Section 45272,
- 4 in a school district with a pupil population over 400,000, an
- 5 appointment for an open, entry-level, school-based position, may
- 6 be made from any rank on the eligibility list. However, in making
- 7 appointments pursuant to this section, at least three eligible
- 8 candidates from the list, if available, shall be considered, and
- 9 appointing authorities shall consider job-related background and
- 10 training that are related to successful job performance, placement
- 11 on the eligibility lists, and seniority, prior to making a job offer.

1 (b) A school district that makes an appointment pursuant to this
2 section shall study the effectiveness of this selection method and
3 submit a report on the study to the Legislature.

4 (c) This section shall remain in effect only until January 1, 2012,
5 and as of that date is repealed, unless a later enacted statute, that
6 is enacted before January 1, 2012, deletes or extends that date.

7 ~~SECTION 1. Section 17071.10 of the Education Code is~~
8 ~~amended to read:~~

9 ~~17071.10. (a) The calculation determined by this article shall~~
10 ~~be made on a one-time basis and be used as the baseline for~~
11 ~~eligibility determinations pursuant to this chapter.~~

12 ~~(b) Each school district that elects to participate in the new~~
13 ~~construction program pursuant to this chapter shall submit to the~~
14 ~~board a one-time report of existing school building capacity.~~

15 ~~(c) Notwithstanding subdivisions (a) and (b), a school district~~
16 ~~newly formed, reorganized, or affected by reorganization, pursuant~~
17 ~~to an election that occurred on or after November 4, 1998, shall~~
18 ~~calculate or recalculate its existing school building capacity~~
19 ~~pursuant to regulations adopted by the board.~~